

### **REMARKS**

This responds to the Office Action dated April 12, 2005. Claims 32 and 39 are amended, and claims 37 and 43 are canceled. As a result, claims 32-36, 38-42, and 44-51 are now pending in this application.

#### **§103 Rejection of the Claims**

Claims 32-34, 38-40, 42 and 43 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Cansell (U.S. Patent No. 4,825,871) in view of Wittkamp et al. (U.S. Patent No. 4,549,548). The rejections are traversed, and applicant reiterates the remarks made in response to the previous office action. As explained below, however, applicant believes that the amendments to the claims contained herein makes the rejections moot for purposes of the present application. Applicant reserves the right to prosecute the same or similar claims prior to this amendment in one or more continuation applications.

#### **Allowable Subject Matter**

Applicant acknowledges the allowance of claims 44-51. Claims 35-37 and 41 were objected to as being dependent upon a rejected base claim, but were indicated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claim 32 has been amended to recite claim 37 in independent form, with claim 37 being cancelled. Independent claim 39 has been amended to recite claim 36 in independent form. Claim 43 has been cancelled. Applicant believes all of the pending claims should now be allowable in accordance with the indications of allowability stated in the Office Action.

AMENDMENT AND RESPONSE UNDER 37 CFR § 1.116 - EXPEDITED PROCEDURE

Serial Number: 09/884,862

Filing Date: June 19, 2001

Title: IMPLANTABLE INTRAVENOUS CARDIAC STIMULATION SYSTEM WITH PULSE GENERATOR HOUSING SERVING AS OPTIONAL ADDITIONAL ELECTRODE

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Dkt: 279.024US6

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney (847) 432-7302 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

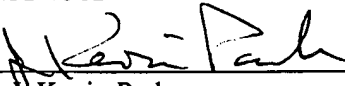
ROBERT G. HAUSER ET AL.

By their Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.  
P.O. Box 2938  
Minneapolis, MN 55402  
(847) 432-7302

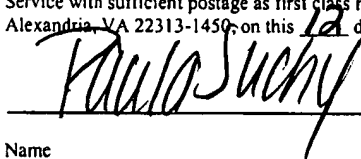
Date 7-12-05

By

  
Kevin Parker  
Reg. No. 33,024

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop AF, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 12 day of July, 2005.

Name



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